

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|------------------------------------------|----|------------------------|--------------------|
| | | Application Number | 10/642,352 |
| | | Filing Date | August 15, 2003 |
| | | First Named Inventor | Youqi Wang, et al. |
| | | Group Art Unit | 1745 |
| | | Examiner Name | Unassigned |
| Total Number of Pages in This Submission | 44 | Attorney Docket Number | SYMXP011 |

ENCLOSURES (check all that apply)

| | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition for Revival of Application Abandoned Unavoidably 37 CFR 1.137(a) including Exhibit A - G <input checked="" type="checkbox"/> Petition to Establish Prior Receipt of pages of Specification 37 CFR 1.53(e) Including Attachments A - B <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Postcard <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Combined Executed Declaration/ Powers of Attorney Copy of Notice to file Missing Parts Check \$ 1738.00 Assignment and Recordation cover sheet |
| Remarks | | The Commissioner is authorized to charge any additional fees to Deposit Account 50-1652. |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | |
|--------------------------|-------------------------------------------------------------|--|
| Firm and Individual name | RITTER, LANG & KAPLAN LLP Cindy S Kaplan Reg. No. 40,043 | |
| Signature | | |
| Date | July 22, 2004 | |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown:

July 22, 2004

| | | | |
|-----------------------|--------------------|------|---------------|
| Typed or printed name | Michelle R. Crosby | | |
| Signature | | Date | July 22, 2004 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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OIE JC68
JUL 27 2004
PATENT & TRADEMARK OFFICE

FEE TRANSMITTAL for FY 2003

Effective 01/01/03. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

1738.00

| Complete if Known | |
|----------------------|--------------------|
| Application Number | 10/642,352 |
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| First Named Inventor | Youqi Wang, et al. |
| Examiner Name | Unassigned |
| Group Art Unit | 1745 |
| Attorney Docket No. | SYMXP011 |

METHOD OF PAYMENT (check all that apply)
 Check Credit Card MoneyOrder Other None
 Deposit Account:

Deposit Account Number
50-1652

Deposit Account Name
Ritter, Lang & Kaplan LLP

The Commissioner is authorized to: (check all that apply)
 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

| Large Entity | Small Entity | Fee Description | Fee Paid |
|--------------|--------------|-----------------|------------------------|
| Fee Code | Fee Code | Fee (\$) | Fee (\$) |
| 1001 | 2001 | 385 | Utility filing fee |
| 1002 | 2002 | 170 | Design filing fee |
| 1003 | 2003 | 265 | Plant filing fee |
| 1004 | 2004 | 385 | Reissue filing fee |
| 1005 | 2005 | 80 | Provisional filing fee |

SUBTOTAL (1) (\$770)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Claims | Extra | Fee from below | Fee Paid |
|--------------------|-------|----------------|-----------------|
| Total Claims | 51 | -20** | = 31 X 18 = 558 |
| Independent Claims | 3 | -3** | = 0 X = |
| Multiple Dependent | | | X = |

| Large Entity | Small Entity | Fee Description |
|--------------|--------------|-----------------|
| Fee Code | Fee Code | Fee (\$) |
| 1202 | 2202 | 9 |
| 1201 | 2201 | 43 |
| 1203 | 2203 | 145 |
| 1204 | 2204 | 43 |
| 1205 | 2205 | 9 |

SUBTOTAL (2)

(\$558)

Claims in excess of 20
 Independent claims in excess of 3
 Multiple dependent claim, if not paid
 ** Reissue independent claims over original patent
 ** Reissue claims in excess of 20 and over original patent

| FEE CALCULATION (continued) | | | | |
|-----------------------------|--------------|-----------------------------------|----------|----------------------------------------------------------------------------|
| 3. ADDITIONAL FEES | | Fee Description | | Fee Paid |
| Large Entity | Small Entity | Fee Code | Fee (\$) | |
| | | 1051 | 130 | Surcharge - late filing fee or oath 130 |
| | | 1052 | 50 | Surcharge - late provisional filing fee or cover sheet. |
| | | 1053 | 130 | Non-English specification |
| | | 1812 | 2,520 | For filing a request for reexamination |
| | | 1804 | 920* | Requesting publication of SIR prior to Examiner action |
| | | 1805 | 1,840* | Requesting publication of SIR after Examiner action |
| | | 1251 | 110 | Extension for reply within first month |
| | | 1252 | 420 | Extension for reply within second month |
| | | 1253 | 950 | Extension for reply within third month |
| | | 1254 | 1,480 | Extension for reply within fourth month |
| | | 1255 | 2,010 | Extension for reply within fifth month |
| | | 1401 | 330 | Notice of Appeal |
| | | 1402 | 330 | Filing a brief in support of an appeal |
| | | 1403 | 290 | Request for oral hearing |
| | | 1451 | 1,510 | Petition to institute a public use proceeding |
| | | 1452 | 110 | Petition to revive - unavoidable 110 |
| | | 1453 | 1,330 | Petition to revive - unintentional |
| | | 1501 | 1,330 | Utility issue fee (or reissue) |
| | | 1502 | 480 | Design issue fee |
| | | 1503 | 640 | Plant issue fee |
| | | 1460 | 130 | Petitions to the Commissioner 130 |
| | | 1807 | 50 | Petitions related to provisional applications |
| | | 1806 | 180 | Submission of Information Disclosure Stmt |
| | | 8021 | 40 | Recording each patent assignment per property (times number of properties) |
| | | 1809 | 770 | Filing a submission after final rejection (37 CFR § 1.129(a)) |
| | | 1810 | 770 | For each additional invention to be examined (37 CFR § 1.129(b)) |
| | | 1801 | 770 | Request for Continued Examination (RCE) |
| | | 1802 | 900 | Request for expedited examination of a design application |
| | | Other fee (specify) | | |
| | | *Reduced by Basic Filing Fee Paid | | |
| | | SUBTOTAL (3) | | |
| | | (\$370) | | |

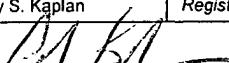
07/28/2004 SZENDIEI 00000004 10642352

05 FC:1460

130.00 0P

SUBMITTED BY

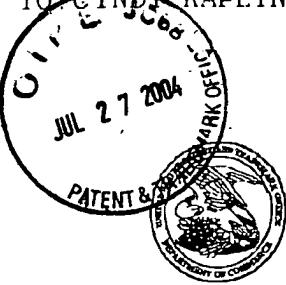
Complete (if applicable)

| | | | | | |
|-------------------|-------------------------------------------------------------------------------------|-----------------------------------|--------------|-----------|---------------|
| Name (Print/Type) | Cindy S. Kaplan | Registration No. (Attorney/Agent) | 408-446-8695 | Telephone | 408-446-8695 |
| Signature |  | | | Date | July 22, 2004 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimate to take 12 minutes to complete, including gathering, preparing, and submitting this completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

TO: CINDY KAPLIN COMPANY:



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/642,352 | 08/15/2003 | | SYNXXPC11 |

CONFIRMATION NO. 1608

FORMALITIES LETTER



OC000000011433740

Date Mailed: 12/08/2003

07/28/2004 SZEWDIE1 00090004 10642352 NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01 FC:1001 770.00 OP 02 FC:1051 130.00 OP 03 FC:1202 550.00 OP
 FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

RITTER, LANG, & KAPLAN LLP

JUL 15 2004

DOCKETED

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The following item(s) appear to have been **omitted** from the application:

- Page(s) 1 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing

date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$558** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1458** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$558**
- **\$558** for **31** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*